

Howell, Beth (MRC)

From: Owen, Randy (MRC)
Sent: Thursday, January 18, 2018 8:13 AM
To: MRC - jpa Permits
Subject: FW:
Attachments: IMG_3112.JPG; IMG_3113.JPG; IMG_3111.JPG;
VaDEQMemorandumHouseholdWaterSewage12.22.16Submission.pdf; Thompson-
VMRC ltr.docx

Protest 17-1609

From: Roberta M. Bondurant [mailto:bondurantlaw@aol.com]
Sent: Wednesday, January 17, 2018 10:55 PM
To: Owen, Randy (MRC) <Randy.Owen@mrc.virginia.gov>
Subject:

Dear Randy,

Please find attached a letter protest of Christine and Howard Thompson of the Historic Vester Grant Farm, 10864 Bent Mountain Road. The Thompsons are not active on the internet, and have signed this document electronically. I'll forward an original signed copy tomorrow. We ask that Commissioner Bull and Board Members consider this letter together with Pamela C. Dodds Report on the Mill Creek watersheds of Bent Mountain, Roanoke County, and with a copy of FERC filing, Accession No. 201706235031, regarding drinking, ground and surface water issues related to proposed MVP construction through Roanoke County.

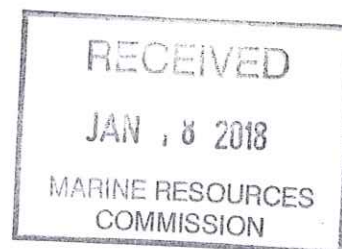
Our thanks to you and your Board for your preparation and consideration in matters related to MVP.

Kind regards,

Roberta

Roberta Motherway Bondurant
Preserve Roanoke/Bent Mountain
Protect Our Water Heritage Rights

PROTEST



PROTEST

John M. R. Bull, Commissioner,
Virginia Marine Resources Commission
Commonwealth of Virginia
2600 Washington Avenue, Third Floor
Newport News, Virginia 23607

January 17, 2018



Re: Mountain Valley Pipeline (MVP) Mill Creek Watershed Crossing, Bent Mountain, Virginia, VMRC # 17-1609

Dear Commissioner Bull and Members of the Board,

We are Christine and Howard Thompson, the owners of historic Vester Grant Farm, just next door to the Blue Ridge Parkway entrance at Adney Gap. This is the yellow farmhouse with red barn and outbuildings you see set back from the road, on the left heading south on Bent Mountain Road, Route 221, on your way to Floyd Virginia. (photos in winter, Dec 2018, enclosed; see also photos of pond and wetlands in summer, 2017, attached to FERC Accession No. 2017-0623-5031, Comment of Preserve Bent Mountain, CP16-10-000, Drinking and Surface Water Concerns, filed with VMRC today, 1/17. 2018.) There are photos of our farm in summer marked Exhibit 5, dated 6/22/17 in the FERC filing described above.

MVP's proposed crossing at Mill Creek in Bent Mountain, Roanoke County, (S-IJ43) would begin its route from the Parkway by crossing our woods, mountain laurel and springs, at the height of the Mill Creek watershed at the edge and entrance to the Blue Ridge Parkway. It would trench, blast and bulldoze our wetlands. As planned now, MVP would include an "anode bed", and an "Additional Temporary Work Space", bulldozing our field for several hundred square feet immediately *above and adjacent to* wetlands and pond, which now support a wide variety of amphibians and wetland wildlife. (See Pamela C. Dodds Report on Hydrogeological Assessment of Proposed Mountain Valley Pipeline Construction Impacts to Mill Creek, Bent Mountain

Area, Roanoke County, Virginia, June 2017, Sub watershed 14-16page 9 of 42.

) The depression in the land follows from Shaver cemetery, which you can locate on the map described in Dr. Dodds report above, creating a wetland that drains toward the larger Mill Creek watersheds and eventually become the hard running Mill Creek, an immediate tributary to Tier III designated Bottom Creek.

The proposed anode bed would run the length of our southern field, which is adjacent to the Blue Ridge Parkway's iconic view and burial site for families including the Thompsons, Fralins, Grants and Shavers. We have lived here all our lives. We are now in our 80's, and Christine works our farm market business in the spring and summer. We bring apples, beans and other produce from the orchard and farm beyond our house off of 221, just a few miles from the old family farm, to the Vinton Market in the Spring and Summer, which we rely on for rental income today. We keep cattle on the Grant farm, and our renters rely on several springs, waters which would be endangered by construction and operation of the MVP.

No one from the Commonwealth of Virginia has assessed our spring and wells, as recommended by the Commonwealth over a year ago. (See Memorandum from the Office of Drinking Water, Commonwealth of Virginia. December 9, 2016, attached.) We expect we would suffer serious sedimentation/chemical damage, as well as amount and flow damage to our water for drinking, watering crops and raising cattle on the Grant farm. We understand you are advised that your board ***lacks*** authority to deny MVP; we respectfully ask you to reconsider that position; alternatively, we ask you to reconsider MVP's building methods to require an alternative route and/or the strictest safety and construction standards available.

Erosion and sediment plans in the Roanoke County Offices are dated April 2016. What we saw then was that MVP plans to use compost soil on the hill near the parkway and a line of slit fencing across the stretch where our yard meets the road at 221. We do not believe these measures will keep sedimentation from our home waters or from the Mill Creek watershed,

upstream of the crossing where VMRC claims jurisdiction. SHT NO, 14. 23ES of 14.81ES.

We question how MVP will safely and adequately insure our drinking water supplies, both in quality and in quantity/flow, when the company will be **blasting, trenching and drilling** through a **perched aquifer**. The very wetlands and springs that begin the Mill Creek watershed are at the corner of our property where MVP proposes to cross.

We know already that neither MVP nor our governments will “insure” water supplies. Roanoke City has asked for significant bonding, as well as Roanoke County and many other local governments and individuals. These counties refused to sign Memoranda of Agreement with DEQ because of the failure of the DEQ process that continues—among many other issues, one that would be significant to your offices work is that the erosion and sedimentation plans are still not complete. Further, the DEQ certification for MVP allows only for “5 million dollars”—for the entire MVP line-- for complaints regarding water contamination and other harms to water. *This is the height of irresponsibility to ignore our local government requests for protections for the public-- but our DEQ seems to have done that, in many areas of their certification. Even with substantial bonding, though, there is no money—or mitigation to us or to third parties-- that can repair a drained and contaminated watershed. Having water delivered by jug or “water buffalo” is not mitigation, nor is it a fair or reasonable substitute for clean, safe drinking water.*

We are not clear of VMRC jurisdictional boundaries for the subaqueous bottom of Mill Creek; it does seem clear though, *if MVP were not crossing at Mill Creek, it would likely not be crossing our home.* We therefore ask your strictest attention and responsibility in considering alternative routes and/or construction methods for the Mill Creek crossing.

Together with our ancestors and family before us, and our family today, we have been good caretakers of this historical place and its waters, its lands and its cleansing wetlands. We are not willing to be displaced, or to have our renters or our neighbors displaced, because of the damaging effects of MVP on our wetlands and waters, and our historic places. We do not wish to lose our

sense of place, to have our lives shortened or to have our wildlife extinguished at the hands of MVP.

We respectfully ask you to consider all of your possible your options, including but not limited to conditions of construction, alternative routes and avoidance, very deliberately and carefully.

Thank you for your consideration.

Sincerely Yours,

/s/Christine and Howard Thompson,
Owners of Historic Vester Grant Farm
Bent Mountain, Virginia
January 17, 2018

December 9, 2016

Memorandum on Mountain Valley Pipeline Project

To: Drew Hammond, Acting Director, ODW (Office of Drinking Water)
Arlene Warren, Policy and Planning Specialist

Through: Allen Knapp, Director, OEHS (Office of Environmental Health and Safety)

From: Dwayne Roadcap, Division Director

RE: Comments regarding the Mountain Valley Pipeline from OEHS

This is in reply to your request for additional comments on the Mountain Valley Pipeline project as requested by the Department of Environmental Quality.

Our understanding is that the pipeline's path and exact location may change and is not finalized at this time. Once the pipeline's path and exact location is known, then records at each local county health department can be reviewed to determine what records are available with respect to wells and onsite sewage systems.

In 1990, the Board of Health promulgated the Private Well Regulations (12VAC5-630-10 et. seq.), which establish requirements for the location and construction of private wells in the Commonwealth. These requirements include minimum separation distances from contaminant sources and other features contained in section 380 and Table 3.1. You can find a copy of the Private Well Regulations [here](#). Homeowners in the counties associated with the pipeline could be using springs, cisterns, hand-dug wells, and drilled wells near the pipeline's path. These water systems would likely have varying types of construction and not meet today's construction standards or regulations.

Protecting water quality for these property owners is a paramount concern so once the pipeline's location is confirmed, OEHS would recommend that a complete sanitary survey along the pipeline's path be performed by a team of persons with expertise in geology, hydro-geology, epidemiology, and public health. OEHS recommends that a sanitary survey within 1,000 feet on either side of the pipeline be performed at a minimum to ensure people and properties using local and regional groundwater and surface water for recreational use or human consumption are identified and protected. Keep in mind that some wells may be located below the ground surface and not visible to the eye, which might require a door-by-door assessment in some cases.

Please note only wells permitted since 2003 are included in the information provided with this memorandum. Records for private wells constructed prior to 2003 may be available in hard copy, but many owners are likely to be using water sources that pre-date 2003. VDH recommends that the project team performing the sanitary survey contact each local health department in the project area to obtain additional hard copy records to assure appropriate separation distances will be maintained between the proposed pipeline and private wells, springs

or cisterns serving nearby properties. You can find contact information for local health departments at <http://www.vdh.virginia.gov/home/local-health-districts>.

In addition to private well records, each local health department has records regarding the location of onsite sewage (septic) systems. In addition to making sure the pipeline does not impact groundwater and drinking water systems, the project team leading the sanitary survey project should identify onsite sewage systems near the pipeline's final path. Property owners must submit an application to the local health department in which the property is located to relocate any onsite sewage system impacted by the pipeline's construction.

The pipeline permitting and approval process should provide numerous options and safeguards to protect local and regional surface water and aquifers. The pipeline goes pass through karst topography, which presents specialized concerns. The Mountain Valley Pipeline project will likely have a 42-inch diameter piping system. Burying the pipeline, if necessary, would likely require clearing wide swaths of brush, digging, boring, drilling, blasting and use of fuels and lubricants for heavy equipment. These activities can adversely affect karst landscapes or possibly create new sinkholes depending on site grading and landscaping.

The pipeline project needs to protect public health as follows:

- FERC and/or the Mountain Valley Pipeline project owners should provide VDH with copies of permits, plans, and studies performed throughout the project so VDH can stay informed, review material, and provide informal comments as necessary throughout the process.

- FERC should provide a mechanism to keep the public and local property owners informed through public notice and solicitation of public comments (i.e., 30-day comment period). Holding informational meetings to gather public input on the issues of water supply and recreational water to assess the impact of the project would be valuable. VDH should be invited to participate and offer formal comments though the permitting and application process. Specifically, VDH recommends receiving public comments related to the following questions:

1. What are the public's concerns related to the impact of the project on water quality and quantity of private wells?
2. What are the public's concerns related to the impact of the project on recreational use of surface water?
3. What role should VDH play in assuring that public health is protected in regard to private wells and recreational water use in regard to the project?
4. What safeguards should be in place to protect private wells and recreational water?
5. Are additional legislative safeguards desired to protect human health, drinking water, or recreational water?

Memorandum
December 9, 2016
Page 3 of 3

- FERC should acknowledge and address public comments received and defend any decision to issue an approval for the pipeline. VDH stands ready to help ensure VDH's comments are adequately addressed.
- The public should be allowed to request a public hearing on the project so that questions and information can be provided.



